

DRAFT
**The Montreal Declaration on the Protection of the
Marine Environment from Land-based Activities**

30 November 2001

1. We, the representatives of Governments, with the valued support and concurrence of delegates from international financial institutions, international organizations, the private sector, non-governmental organizations, other stakeholders and major groups, have met from 26 to 30 November 2001, in Montreal, Canada, for the first Intergovernmental Review of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities;
2. We declare with renewed emphasis that implementing the Global Programme of Action is, in the first place, the task of Governments;
3. We reaffirm that the regional seas programmes have a pivotal role to play in the implementation of the Global Programme of Action, and that good functioning regional seas programmes, adapted and responsive to the emerging global structure, are thus essential for the implementation of the Global Programme of Action;
4. We emphasize the direct link between improved coastal and [oceans] governance involving all stakeholders and the availability of financial resources to actively implement the Global Programme of Action;
5. We declare our firm commitment to actively and cooperatively improve coastal and ocean governance for the purpose of accelerating the implementation of the Global Programme of Action, by mainstreaming; building cooperative partnerships; integrating coastal area and river basin management; and enhancing global and regional governance processes, as outlined below;
6. We declare our firm commitment to actively and cooperatively identify new and additional financial resources, for the purpose of accelerating the implementation of the Global Programme of Action, by building capacity for effective partnerships between Governments, industry, civil society, international organizations and financial institutions; making better use of domestic and international resources; and exploring new and additional services, as outlined below;
7. We call upon the United Nations agencies and programmes, the Global Environment Facility, and other global and regional stakeholders, to support our efforts to fully implement the Global Programme of Action;
8. We request the Executive Director of the United Nations Environment Programme to convene the second Intergovernmental Review Meeting on the implementation of the Global Programme of Action in 2006, and commit ourselves to demonstrating still further and more rapid progress in the local, national, regional and global implementation of the Global Programme of Action at that review;
9. We commend the present Declaration, and the outcome of the first Intergovernmental Review of the Global Programme of Action, as a significant and valuable contribution to the implementation of Agenda 21 and preparations for both the 2002 World Summit on Sustainable Development in Johannesburg, South Africa, and the Third World Water Forum in Kyoto, Japan, in 2003;

BACKGROUND

10. We recall the 1995 Washington Declaration and the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities, in which the representatives of 108 Governments and the European Commission declared their commitment to protect and preserve coastal and marine environments from the impacts of land-based activities, adopting the Global Programme of Action as a source of conceptual and practical guidance to be drawn upon by national and/or regional authorities in devising and implementing sustained action;
11. We are convinced that peace, development and environmental protection are interdependent and indivisible, and that more recent dimensions to the global environmental agenda, such as issues related to compliance, enforcement, liability and redress, and the integration of sustainable development with regional security, have a bearing on the implementation of the Global Programme of Action;
12. We recall General Assembly resolution 55/7 of 30 October 2000, in which Governments:
 - (a) Expressed their deep concern of the degradation of the marine environment, particularly from land-based activities;
 - (b) Emphasized the need for international cooperation and for a coordinated approach at the national level to this problem, bringing together the many different economic sectors involved, to ensure full implementation of the Global Programme of Action;
13. We note the 2001 report prepared by the Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection, entitled “Protecting the Oceans from Land-based activities: Land-based sources and activities affecting the quality and uses of the marine, coastal and associated freshwater environment”, which reported that ‘on a global scale marine environmental degradation has continued and in many places even intensified’;
14. We welcome the recent progress achieved in implementing the Global Programme of Action at the national and regional levels, as well as positive developments within the United Nations Environment Programme;
15. We acknowledge with thanks the important financial contributions of several Governments in support of United Nations Environment Programme’s efforts to forward the implementation of the Global Programme of Action during the 2000-2001 biennium;
16. We welcome the efforts of the World Bank and United Nations Environment Programme, which convened a meeting with representatives of the private sector, non-governmental organizations, financial institutions and donors, at The Hague, in July 2001, to consider innovative financing arrangements to implement the Global Programme of Action, and note with commendation and appreciation the report of the meeting (appendix B) as a valuable step in identifying ways and means to mobilize the needed resources to address land-based sources of marine pollution and as an input to the first Intergovernmental Review of the Global Programme of Action;

MAJOR ACHIEVEMENTS

17. We welcome the completion of the negotiations over the Stockholm Convention on Persistent Organic Pollutants, adopted at the Conference of Plenipotentiaries in May 2001, and call upon national Governments to:
 - (a) Ratify the Convention;
 - (b) Take immediate steps to implement the Convention;
18. We welcome the “Draft Recommendations for Decision-making on Municipal Wastewater” as general guidance to manage urban wastewater world-wide, in accordance with national policies and plans, and call upon the Global Programme of Action Coordination Office to further develop the recommendations, taking into account the discussions on this topic at the first Intergovernmental Review of the Global Programme of Action;
19. We welcome the efforts of those countries that have prepared national programmes of action or have integrated the goals of the Global Programme of Action into their national strategies, policies and programmes; the efforts of those regions that have cooperatively prepared regional programmes of action; and the support of the Global Environment Facility in addressing the harmful effects of land based activities on coastal and marine environments;
20. We welcome the cooperative efforts of the United Nations Environment Programme and respective United Nations organizations to prepare and continuously improve the Global Programme of Action Clearing-house Mechanism, and we commend it as a valuable tool for use by local, national, regional and global stakeholders in implementing the Global Programme of Action;

THE FUTURE

21. We are concerned that:
 - (a) The productive capacity and ecological integrity of the marine environment, including estuaries and near-shore coastal waters, are being increasingly degraded, specifically by pollution from sewage, the physical alteration and destruction of habitat nutrients, sediment mobilization and chemicals;
 - (b) The negative implications for industry, human health, poverty alleviation, food security and safety are continuing, in many cases, unabated;
 - (c) The social, environmental and economic costs to society are escalating as a result of disproportionately low levels of action to mitigate the harmful effects of land-based activities on coastal and marine environments, and that certain types of damage are serious and irreversible;
22. We call upon Governments and other United Nations organizations involved to support the Global Programme of Action Coordination Office work programme (Appendix A) and invite countries that are in a position to do so, to supplement the efforts of the United Nations Environment Programme by providing additional financial assistance towards the implementation of this work programme;

23. [We welcome the financial commitments of -----, totalling \$----, towards the implementation of the Global Programme of Action Coordination Office work programme for the period 2002-2006];
24. We call upon United Nations agencies and programmes, as detailed in the costed United Nations Global Programme of Action for the Protection of the Marine Environment from Land-based Activities related work programme (annexed to the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities Coordination Office work programme), to incorporate where appropriate the objectives of the Global Programme of Action into their respective work programmes, giving priority, in the 2002-2006 period, to addressing the impact of sewage, physical alterations and destruction of habitats on the marine environment, and human health and food safety, with specific focus on tourism, urban development and agriculture;
25. We call upon relevant regional and other governing bodies to endorse and implement the 2002-2006 work programmes developed by the regional seas programmes and other stakeholders, and to ensure that adequate institutional structures and financial resources are in place to implement these work programmes;
26. We urge the international donor community and financial institutions to support the implementation of these work programmes;

COASTAL AND OCEANS GOVERNANCE

27. We commit ourselves to improve and accelerate the implementation of the Global Programme of Action, by:

Mainstreaming

- (a) Working to incorporate the aims, objectives and guidance of the Global Programme of Action into new or existing activities, programmes, strategies, or plans at the local, national, regional and global levels, including those of United Nations organizations, Economic Commissions and non-governmental organizations;
- (b) Calling upon the Parties to relevant global conventions, regional conventions and action plans, and regional policy forums, including ministerial forums, to incorporate the objectives of the Global Programme of Action, as appropriate, into the work programmes and decisions, and to list its implementation as a standing item on the respective agendas;
- (c) Calling upon international financial institutions, including the Global Environment Facility, to incorporate, as soon as possible, the implementation of the Global Programme of Action into their respective portfolios, and similarly donors to incorporate, as soon as possible, its implementation into their respective national foreign assistance programmes;

- (d) Developing action oriented national programmes of action or incorporating the Global Programme of Action into integrated natural resource management, sustainable development and sectoral policies, such as tourism, within our respective jurisdictions;

Cooperative Partnerships

- (e) Strengthening the capacity of the regional seas programmes to facilitate, coordinate and support the efforts of their respective member States to implement the Global Programme of Action, and advocating their use as a platform for still wider multi-stakeholder cooperation and action, including regional development banks, economic commissions, the private sector, United Nations organizations and civil society organizations;
- (f) Further developing, as appropriate, binding or non-binding regional seas agreements within the framework of the Regional Seas Programme, and promoting collaboration among existing regional seas programmes, including the further development of cooperative twinning mechanisms such as that between the Baltic Marine Environment Protection Commission (Helsinki Convention) and the Eastern African Regional Coordinating Unit;
- (g) Improving cooperation among regional organizations and conventions, such as the United Nations Environment Programme's Regional Seas Programme, Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization regional commissions, regional fisheries management organizations, regional health organizations, regional Ministerial forums, economic commissions and development banks, through joint work programmes, cross participation and memoranda of understanding where appropriate;
- (h) Holding or participating in regular partnership meetings at all levels which bring relevant stakeholders, such as the private sector, financial institutions, and civil society, together around concrete problems to assess and implement alternative technological, institutional and financial solutions;

Integrated coastal area – river basin management

- (i) Taking appropriate action at the regional and national level to strengthen institutional cooperation between river-basin authorities, port authorities and coastal zone managers, and to incorporate coastal management considerations into relevant legislation and regulations pertaining to river basins;
- (j) Calling for an increased role of the respective regional seas programmes in regional development and watershed management plans, thus placing increased emphasis on the implementation of the Global Programme of Action in regional development and watershed management;

- (k) Taking appropriate action at the local, national, regional and global level to enable and encourage integrated watershed coastal and marine ecosystem management, using cooperative action in this regard to address priority marine pollution problems. Developing appropriate linkages between decision-making bodies at all levels, and make optimum use of forums such as the International Conference on Freshwater in Bonn, 3-7 December 2001, the World Summit on Sustainable Development in 2002 in Johannesburg, September 2002, and the Third World Water Forum in Tokyo, March 2003;

Governance Processes

- (l) Calling for an oceans cluster on the agenda of the 2002 World Summit on Sustainable Development in Johannesburg, and feeding the outcomes of the first Intergovernmental Review of the Global Programme of Action into other global coordination mechanisms such as the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea;
- (m) Convening, within available resources, national and regional multi-stakeholder preparatory meetings to contribute to the second Intergovernmental Review Meeting on implementation of the Global Programme of Action in 2006;
- (n) Holding, within available resources, biennial regional meetings and five yearly global meetings, to review the implementation of the Global Programme of Action, making full use of existing arrangements such as the regional seas agreements and other regional and international forums, which will decide on concrete activities, including their financing, to forward implementation of the Global Programme of Action;
- (o) [Additional / Alternative paragraphs emanating from the discussion at the Intergovernmental Review Meeting on the topic and the Ministerial Declaration.]

FINANCING THE GLOBAL PROGRAMME OF ACTION

28. We commit to build partnerships and enhance sustainable financing of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities by:

Capacity-building for effective partnerships

- (a) Strengthening the capacity of local and national authorities to identify needs and alternative solutions (technological, financial, institutional and managerial alternatives) to land-based sources of pollution; and to formulate, negotiate and implement contracts in partnership with the private sector;
- (b) Identifying financial, legal and political risks that discourage efforts by both the public and private sectors to access either new or existing funds for large scale projects, and creating enabling environments to address and insure against such risks;

- (c) Cooperating in the implementation of the work programme of the Global Programme of Action Coordination Office for the period 2002-2006, with a minimum budget of [\$25 million over five years], to be funded primarily by Governments and industry donations, as well as other stakeholders;
- (d) Calling upon the Global Environmental Facility, the World Bank, the International Monetary Fund, regional development banks and other international financial mechanisms, to finance activities and projects contributing to the implementation of the Global Programme of Action;

Making better use of domestic and international resources

- (e) Giving due consideration to both the positive and negative impacts of domestic legislation and policies, including fiscal measures such as subsidies and taxation, on land-based activities that are potentially harmful to the marine environment;
- (f) Taking appropriate action at the national level to ensure the more efficient use of existing public funds, through amongst others, institutional and financial reforms, greater transparency and accountability, the development of multi-year investment programmes, and by providing an enabling environment for investment, by the private sector as well when appropriate;
- (g) Taking action to ensure the wider application of micro-financing and enterprise financing mechanisms, particularly at the local and national level, involving the private sector and financial institutes as appropriate;

Exploring new and additional services

- (h) Contributing to studies related to the development of water markets, and pollution reduction trading mechanisms;
- (i) Contributing to studies related to the need and feasibility of multi-stakeholder water funds to address land based sources of marine pollution;
- (j) [Paragraphs emanating from the discussions at the IGR on financing and the Ministerial deliberations, see also "non-papers"]

SUSTAINABLE DEVELOPMENT

29. We request the President of the Governing Council and the Executive Director of the United Nations Environment Programme to report to the 2002 World Summit on Sustainable Development on the progress achieved by the Global Programme of Action towards the goals set out in chapter 17 of Agenda 21, and to advise on the future implementation of the Global Programme of Action.
